

Order

Michigan Supreme Court
Lansing, Michigan

December 6, 2006

Clifford W. Taylor,
Chief Justice

131086

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

KAREN RENNY and CHARLES RENNY,
Plaintiffs-Appellees,

v

SC: 131086
COA: 257018
Ct of Claims: 03-000042-MT

DEPARTMENT OF TRANSPORTATION,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the March 21, 2006 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall include among the issues to be addressed: (1) whether the Court of Appeals correctly characterized the alleged dangerous or defective condition in this case as a design defect; (2) whether the public building exception, which obligates a governmental agency "to repair and maintain public buildings," permits a party to bring a design defect claim; and (3) whether the Court of Appeals' conclusion that the icy sidewalk was not a transitory condition is contrary to this Court's decision in *Wade v Dep't of Corrections*, 439 Mich 158 (1992).

The Michigan Municipal League, the Michigan Townships Association, the Michigan Trial Lawyers Association, and the Michigan Defense Trial Counsel, Inc., are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



s1129

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 6, 2006

Corbin R. Davis

Clerk